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PATENT
STABILITY
Attorney Docket No. 401251/TAKADA

2004 MAR 19 PM 4:09

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

ISHIDA et al.

Art Unit: 2817

Application No. 09/877,037

Examiner: S. Jones

Filed: June 11, 2001

For: MICROWAVE INTEGRATED CIRCUIT
WITH CAPACITANCE VARIATION
COMPENSATION

REQUEST FOR REFUND

Mail Stop
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Attn: Refund Section, Accounting Division
Office of Finance

Sir:

Applicants request a refund of \$410 to deposit account 12-1216 for an improperly charged two-month extension of time fee for the referenced patent application.

A Request for Continued Examination was filed for the referenced patent application on April 22, 2003. At that time, a third month extension of time fee was paid and, in addition, a fee of \$130 was paid for suspension of action in the patent application for a three-month period. All of the fees, the filing fee, the extension of time fee, and the fee for suspension of action were charged to deposit account 12-1216 on April 23, 2003 as shown by the attached page from the deposit account. Also attached is a copy of the transmittal letter for the Request for Continued Examination showing these fees and especially showing the suspension of action fee that was paid.

The request for suspension of action was approved. A copy of a Notice of Approval mailed May 23, 2003 is attached. Based upon the filing date of the Request for Continued Examination, a response could be filed as late as July 22, 2003 without the payment of any fees for extensions of time.

The full amount of the approved suspension of action was not taken. Rather, a response was filed on May 29, 2003. Although no extension of time fee was due at the time of that filing, a two-month extension of time fee in the amount of \$410 was charged on May 13, 2003 for unknown reasons. A copy of the deposit account report showing this charge is

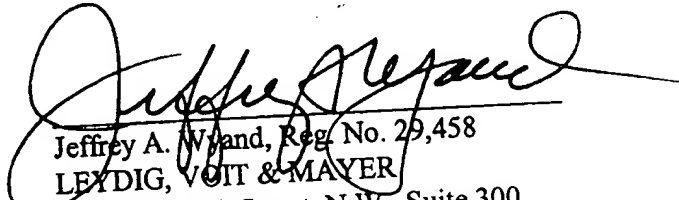
In re Appln. of ISHIDA et al.
Application No. 09/877,037

STATUS AND ENTITY
BRANCH

attached as pages 4 and 5. A two-month extension of time fee had been previously charged on this account, although improperly, on February 5, 2003. A copy of the deposit account statement showing that charge is attached as page 6. The appropriate fee would have been \$110, but subsequent prosecution made the charge that was assessed, \$410, correct.

Because there has been a duplication of charges for a two-month extension of time fee in this matter, refund of that duplicated charge to deposit account 12-1216 is requested. The delay in making the request for refund is regretted, but the complicated prosecution history of this patent application made determination of events that actually occurred quite difficult.

Respectfully submitted,


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Date: March 16, 2004
JAW:tps

Refund Request (revised 7/30/03)